

Chapter 9.40

MISCELLANEOUS OFFENSES

Sections:

- 9.40.010 Unlawful to Leave Abandoned Ice Box with Air-tight Door or Lock Not Openable from Inside.**
- 9.40.020 Removal of Door or Lock.**
- 9.40.040 Using Name of City or Department Prohibited.**
- 9.40.050 Television and Radio Reception Interference.**
- 9.40.060 Television and Radio Reception Interference; Electrical Inspector to Enforce.**
- 9.40.070 Negligent Smoking; Posting Notice in Hotels.**
- 9.40.080 Auctioneers or Peddlers Plying Vocation in Streets.**

9.40.010 Unlawful to Leave Abandoned Ice Box with Air-tight Door or Lock Not Openable from Inside.

It shall be unlawful for any person, firm, or corporation to leave outside of any building or dwelling in a place accessible to children any abandoned, unattended, or discarded ice box, refrigerator or any other container of any kind which has an air-tight door or lock which may not be released for opening from the inside of said ice box, refrigerator, or container. (Ord. 15626 §1; July 9, 1990: P.C. §9.04.010: Ord. 5599 §1; September 8, 1953).

9.40.020 Removal of Door or Lock.

It shall be unlawful for any person, firm, or corporation to leave outside of any building or dwelling in a place accessible to children any abandoned, unattended, or discarded ice box, refrigerator, or any other container of any kind which has an air-tight snaplock or other device thereon without first removing the said snaplock or doors from said ice box, refrigerator, or container. (Ord. 15626 §2; July 9, 1990: P.C. §9.04.020: Ord. 5599 §2; September 8, 1953).

9.40.030 Fortunetelling, Clairvoyancy, Etc.

(Repealed by Ord. 17443 §1; November 30, 1998: Ord. 15626 §3; July 9, 1990: P.C. §9.32.010: Ord. 3489 §21-301; July 6, 1936).

9.40.040 Using Name of City or Department Prohibited.

It shall be unlawful for any person to use the name of the city or any department of the city in any advertisement, circular, ticket, or other means whatsoever in the advertising or in furtherance of such person's business or profession in any manner so that it shall appear to be an official act or document of the city. (Ord. 15626 §4; July 9, 1990: P.C. §9.32.050: Ord. 3489 §21-501; July 6, 1936).

9.40.050 Television and Radio Reception Interference.

It shall be unlawful for any person to knowingly or intentionally use, operate, or cause to be used or operated, any device, appliance, equipment, or apparatus generating or causing high frequency oscillations or radiations which interfere with television broadcast receiving apparatus, radio broadcasting receiving apparatus or wireless receiving apparatus, except that a person duly licensed to practice medicine, osteopathy, chiropractic, or dentistry by the State of Nebraska, in the course of the practice of his or her profession may operate or cause to be operated under his direct supervision, any machine necessary to give treatment; provided, however, that all reasonable methods of preventing interference with television broadcasting receiving apparatus, radio broadcasting receiving apparatus, wireless receiving apparatus have been applied; provided, further, that the provisions of this section shall not apply to the television stations, radio stations, either broadcast, commercial, or amateur, licensed by the federal government, or which are engaged in interstate communication. (Ord. 15626 §5; July 9, 1990: P.C. §9.56.010: Ord. 3489 §36-101, as amended by Ord. 5609; September 21, 1953).

9.40.060 Television and Radio Reception Interference; Electrical Inspector to Enforce.

It shall be the duty of the electrical inspector to enforce Section 9.40.050.

Whenever an inspection and test shall have been made by the electrical inspector, and it is found that any device coming within the terms of Section 9.40.050 is being operated in violation of the provisions thereof, the electrical inspector shall give notice to the owner or operator of such device to either discontinue the use of, or repair the same, or attach a silencing device thereto, so that such device complies with Section 9.40.050, within forty-eight hours after service of such notice upon the owner or operator. The owner or person in possession of, or the operator of such device, shall be deemed to be operating such device within the provisions of Section 9.40.050 and such person shall be subject to the penalties hereinafter provided. (Ord. 15626 §6; July 9, 1990: P.C. §9.56.020: Ord. 3489 §36-104; July 6, 1936).

9.40.070 Negligent Smoking; Posting Notice in Hotels.

It shall be unlawful for any person, by smoking or attempting to light or to smoke cigarettes, cigars, pipes, or tobacco in any manner in which lighters or matches are employed in a careless, reckless, or negligent manner whatsoever, whether willfully or wantonly or not, to set fire to any bedding, furniture, curtains, drapes, house, or any household fittings or any part of any building whatsoever so as to endanger life or property in any way or to any extent.

Every owner or person having charge or control of any hotel, rooming house, lodging house or other place of public abode, shall place or post a plainly printed notice in a conspicuous place advising tenants of the provisions of this section. (Ord. 15626 §7; July 9, 1990: P.C. §9.64.010: Ord. 4191 §1; December 6, 1949).

9.40.080 Auctioneers or Peddlers Plying Vocation in Streets.

It shall be unlawful for any auctioneer or peddler or for the employer of any auctioneer or peddler to permit such auctioneer or peddler to offer for sale any goods, wares, or merchandise upon the streets of the city except persons vending from vendors' trucks in accordance with the provisions of Chapter 10.46 and those having permits as provided by Chapter 14.55 of the Lincoln Municipal Code. (P.C. § 9.68.210: Ord. 13406 §1; June 7, 1982: prior Ord. 3489 §21-621; July 6, 1936).

9.40.090 Focused Residential Picketing, Prohibited.

(a) It shall be unlawful for any person to engage in focused picketing in that portion of any street which abuts on the property upon which the targeted dwelling is located, or which abuts on property within fifty feet (measured from the lot line) of the property upon which the targeted dwelling is located, except the sidewalk space on the opposite side of the street from the targeted dwelling.

(b) For purposes of this section, the following definitions shall apply:

(1) **Focused picketing** shall mean picketing directed toward a specific person or persons including, but not limited to, marching, congregating, standing, parading, demonstrating, parking, or patrolling by one or more persons, with or without signs.

(2) **Sidewalk space** shall mean that portion of a street between the curb line and the adjacent property line.

(3) **Street** shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(4) **Targeted dwelling** shall mean any building or dwelling unit within a building, in which the target or targets of focused picketing reside.

(c) This section shall not apply to any picketing, focused or otherwise, which lawfully occurs before or about any commercial or industrial establishment or business, regardless of where located.

(d) This section shall not be construed to authorize conduct which is otherwise prohibited by law. (Ord. 17164 §1; April 7, 1997).